

## EXHIBIT 2

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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

Cung Le, Nathan Quarry, Jon Fitch, Brandon Vera, Luis Javier Vazquez, and Kyle Kingsbury, on behalf of themselves and all others similarly situated,

**Case No. 2:15-cv-01045-RFB-BNW**

**Plaintiffs,**

## **DECLARATION OF ELI J. KAY-OLIPHANT**

v.  
Zuffa, LLC, d/b/a Ultimate Fighting Championship and UFC.

**Defendant**

## **DECLARATION OF ELI J. KAY-OLIPHANT**

I, ELI J. KAY-OLIPHANT, declare as follows:

3       1. I am a Partner of the law firm of Sparacino PLLC (“Sparacino” or “Firm”), and my  
4 Firm is counsel for certain former professional mixed martial arts (“MMA”) fighters who may  
5 have claims as members of the “Bout Class” in *Le v. Zuffa*. I am the lead Sparacino attorney on  
6 this matter and have day-to-day responsibility for it. I have personal knowledge of the facts set  
7 forth in this declaration and if necessary, could testify competently thereto. I make this  
8 declaration in support of Sparacino’s Motion for Relief Pursuant to the Court’s Inherent Authority.

9       2. Antonio McKee initiated contact with Sparacino PLLC at 5:43pm EST on March  
10 18, 2021. We have a log of him calling us and asking that an attorney call him back. A true and  
11 correct copy of that log entry, with Mr. McKee's personal contact information and other work  
12 product and privileged communications redacted, is attached hereto as Exhibit A.

13       3.     Later that day, on March 18, 2021, I called Mr. McKee and had a phone  
14 conversation during which he and I discussed the solicitation that Sparacino had sent him. During  
15 that conversation, Mr. McKee requested that an engagement letter be prepared so that he could  
16 review its terms. So that Sparacino could send the engagement letter to him, I asked for, and Mr.  
17 McKee gave me, his email address. A true and correct copy of the log I created of that  
18 conversation, with Mr. McKee's personal contact information and other work product and  
19 privileged information redacted, is attached hereto as Exhibit B.

20       4. I then sent Mr. McKee a follow-up email thanking him “for connecting with me  
21 earlier [that day],” and informed him that we would send an engagement letter to the email address  
22 he had given me. A true and copy of the email I sent him on March 18, 2021, commemorating our  
23 prior conversation, with Mr. McKee’s personal contact information and other work product and  
24 privileged information redacted, is attached hereto as Exhibit C. At or around the same time, via  
25 DocuSign, Sparacino then sent the engagement letter that Mr. McKee had requested.

26       5. On April 2, 2021, when Scott+Scott withdrew from the matter, Sparacino voided the  
27 pending but not yet signed engagement letters that it had sent to clients who had requested  
28 engagement letters, including Mr. McKee, and sent modified engagement letters out to each.

1       6. The follow-up emails that Mr. McKee received on May 6, 2021, May 10, 2021, and  
2 June 13, 2021 were auto-generated follow-up emails from DocuSign, related to the modified  
3 engagement letter that had been sent to Mr. McKee.

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5       I declare under penalty of perjury that the foregoing is true and correct.

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/s/ Eli J. Kay-Oliphant

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Dated: October 4, 2023

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Eli J. Kay-Oliphant

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## CERTIFICATE OF SERVICE

I hereby certify that on this 4<sup>th</sup> day of October, 2023 a true and correct copy of  
**DECLARATION OF ELI J. KAY-OLIPHANT** was served via the District Court of Nevada's  
ECF system to all counsel of record who have enrolled in this ECF system.

/s/ Eli J. Kay-Oliphant

Eli J. Kay-Oliphant, Esq.

## Exhibit A

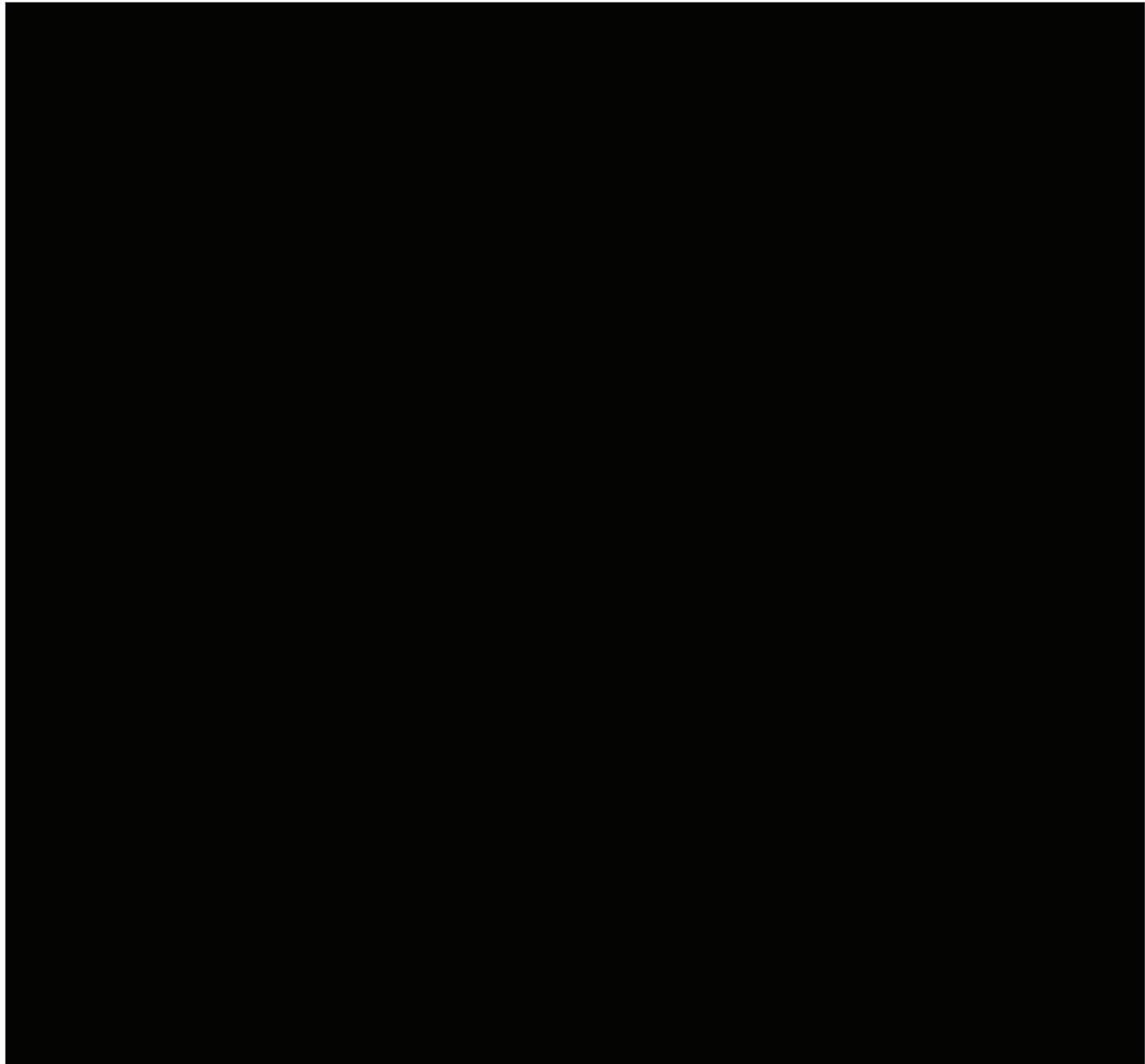
≡ Key

⚡ Syncing fields from  Synced UFC

Call: 2021-03-18 5:43pm  
McKee, Antonio

fk Call Date & Time  
Formatted

March 18th at 5:43PM ET



A Preferred Call Back ⚡  
Time

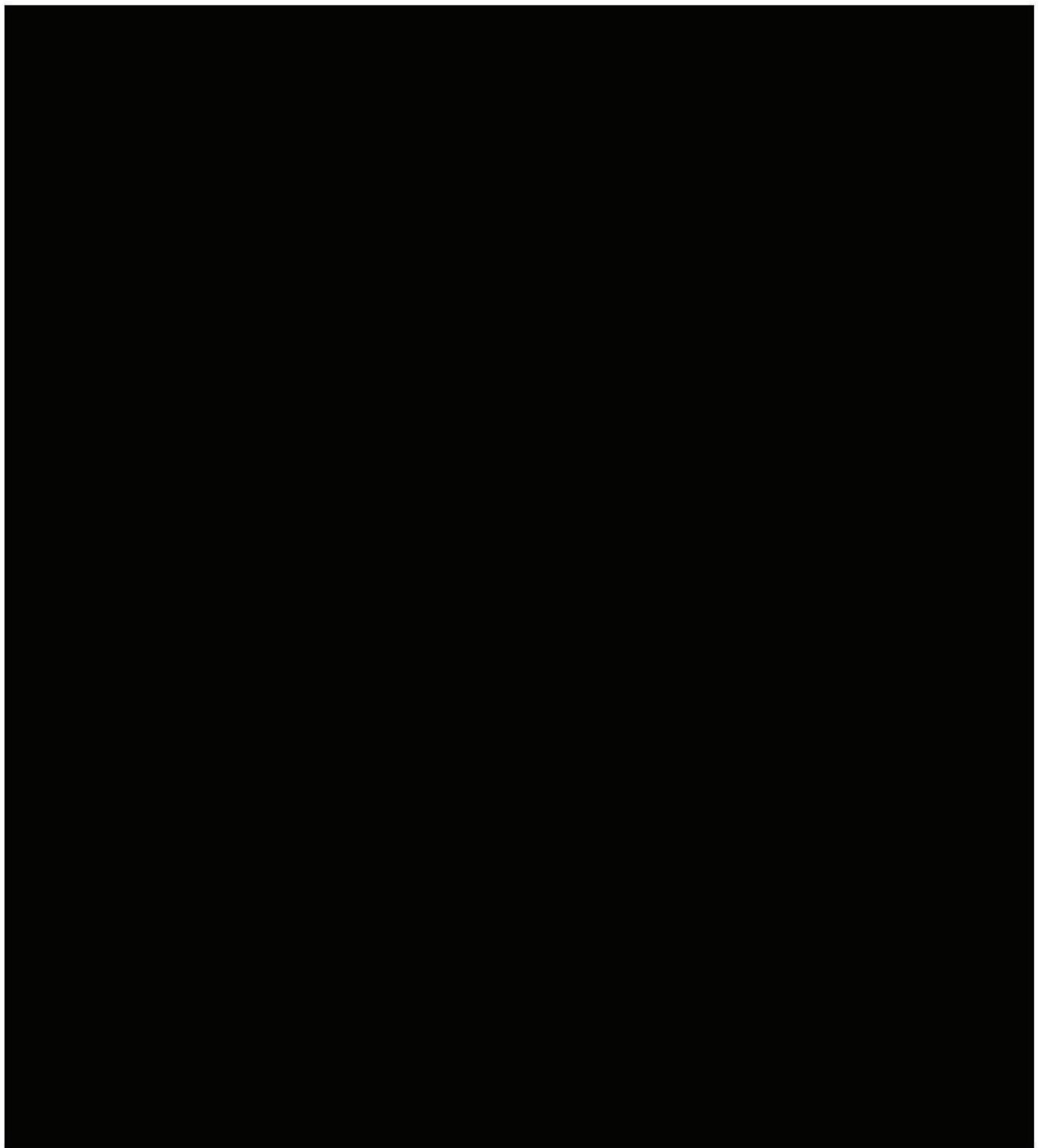
ASAP. Pacific Time (CA)



 Call Date



3/18/2021



## Exhibit B



f<sub>x</sub> Key

Call: 2021-03-18 - McKee, Antonio

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Date & Time of Communication

2021-03-18 5:34pm

Communication Type

Call

Phone Number

[REDACTED]

Email Address

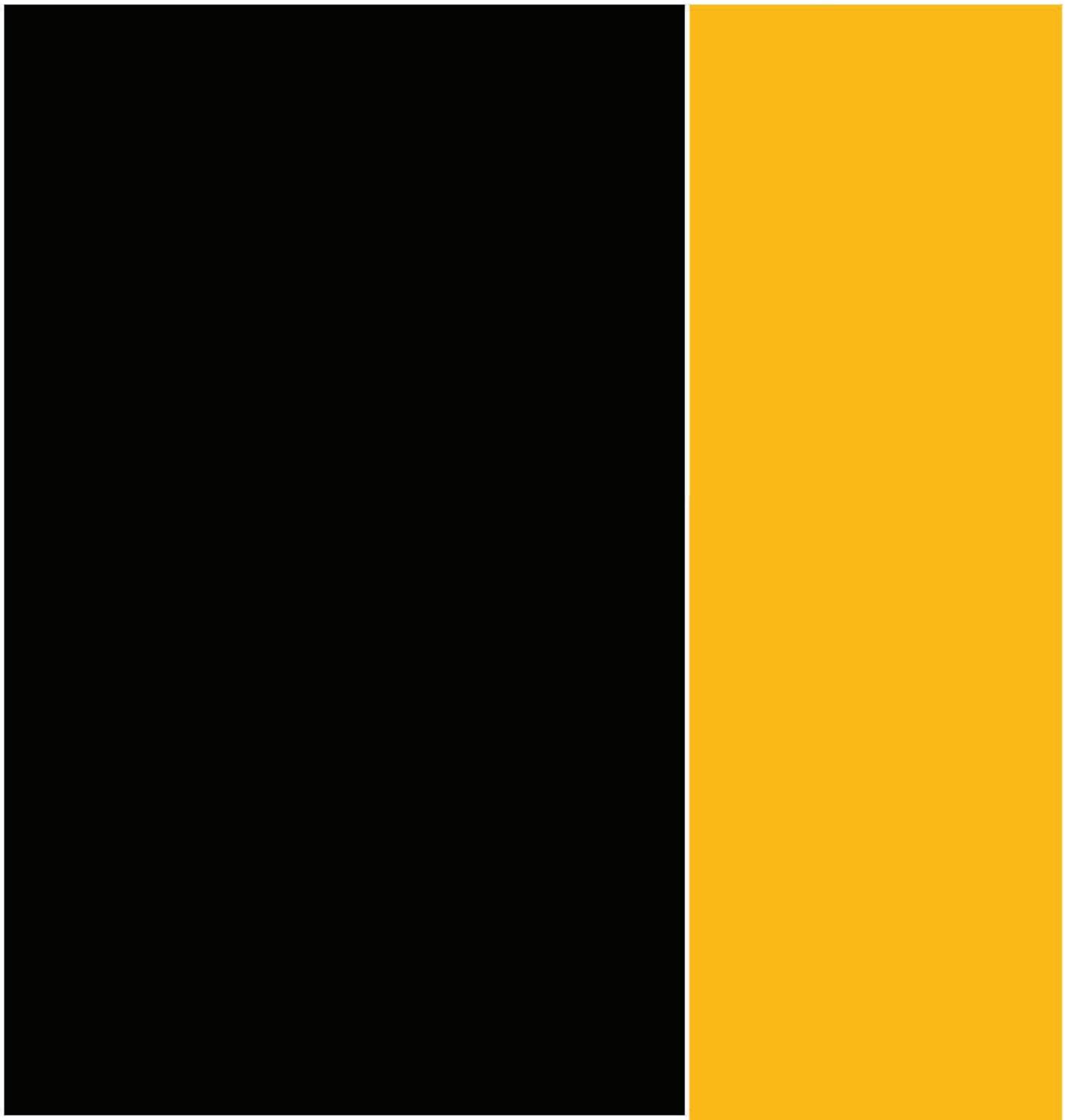
[REDACTED]

Duration

0:30

Created By

Eli Kay-Oliphant



## Exhibit C

